

REMARKS

Claims 1 - 26 are pending. Claims 27 - 32 are withdrawn from consideration. By this amendment, claims 13 - 26 are amended. Now new matter is introduced. Reconsideration and issuance of a Notice of Allowance are respectfully requested.

Claims 9 and 24 are allowable.

On page 3 the Office action rejects claims 13 - 26 under 35 U.S.C. § 101. This rejection is respectfully traversed.

The Office Action asserts that claims 13 - 26 “fail to fall within a statutory category ... [and] are, at best function descriptive material *per se*.” Claims 13 - 26 are amended to recite, in the preamble, “a programmed computing device.” Applicant notes that independent claim 13 is a means-plus-function claim. Means plus function claims recite “means” followed by a function to be carried out by the recited means. The structure corresponding to the recited means is found by reference to the specification. Means-plus-function claims are allowed by 35 U.S.C. § 112, ¶6. As amended, claims 13 - 26 are allowable. Withdrawal of the rejection of these claims under 35 U.S.C. § 101 is respectfully requested.

On page 3 the Office Action rejects claims 1 - 5 and 13 - 22 under 35 U.S.C. 103(a) over U.S. Patent Publication 20020097445 to Todd et al. (hereafter Todd) in view of U.S. Patent 6,996,832 to Gunduc et al. (hereafter Gunduc). This rejection is respectfully traversed.

CLAIM 1

Todd is directed to a modular configuration management system in which plug-in modules are used to scale a computer system’s storage capability. The Office Action asserts that Todd, in paragraph 078, discloses the claimed step of “filtering any required plug-in parameters.” Paragraph 078 says nothing about filtering. Rather, paragraph 078 discloses a report that lists parameters that a customer can specify. Furthermore, as the Office Action admits, Todd says nothing about terminating a plug-in with failure if not all the required plug-n parameters are specified.

Gunduc is also directed to software plug-in modules. The Office Action asserts that Gunduc, at column 18, lines 10 - 14, discloses the claimed step of “terminating the at least one plug-in with failure if not all required plug-in parameters have been specified.” In fact, what Gundac discloses (in column 17, line 17 - column 18, line 34), is a methodology of using “Fanout interceptors” to add services to a computer system, and where an interceptor is a function or method of a plug-in that provides a desired service. Gundac, says nothing about terminating implementation of a plug-in if all plug-in parameters have not been specified. Thus, Gundac does nothing to cure the defects in Todd.

In contrast to Todd and Gundac, claim 1 recites:

if the computer operation requires at least one plug-in,
filtering any required plug-in parameters from the one or more
parameters specified with the computer operation;
 determining whether all required plug-in
parameters for the at least one plug-in have been specified;
 terminating the at least one plug-in with failure
 if not all the required plug-in parameters have been specified.

Thus, Todd and Gundac, individually and in combination, do not disclose or suggest all the features of claim 1, and claim 1 is patentable.

CLAIM 13

Amended claim 13 is a means-plus-function claim. Referring to the specification, the structure recited therein, corresponding to the claimed means, is clearly not disclosed or suggested by Todd and Gundac, individually and in combination. Accordingly, claim 13 is patentable.

CLAIMS 2 - 5 and 14 - 22

Claims 2 - 5 and 14 - 22 depend from patentable claims 1 and 13, and for this reason and the additional features they recite, claims 2 - 5 and 14 - 22 are also patentable.

Withdrawal of the rejection of claims 1 - 5 and 13 - 22 under 35 U.S.C. § 103(a) is respectfully requested.

CLAIMS 6, 10 - 12, 23, and 26

On page 8 the Office Action rejects claims 6, 10 - 12, 23 and 26 under 35 U.S.C. § 103(a) over Todd, Gunduc, and further in view of U.S. Patent 6,842,832 to Weschler (hereafter Weschler). This rejection is respectfully traversed.

Claims 6, 10 -12, 23 and 26 depend, respectively, from patentable claims 1 and 13. For this reason and the additional features they recite, claims 6, 10 - 12, 23 and 26 are also patentable. Withdrawal of the rejection of these claims under 35 U.S.C. § 103(a) is respectfully requested.

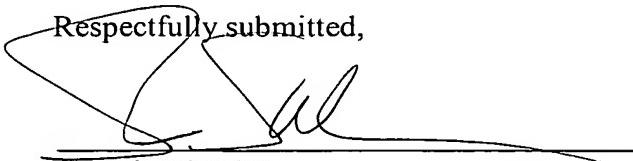
CLAIMS 7, 8 and 25

On page 10 the Office Action rejects claims 7, 8, and 25 under 35 U.S.C. § 103(a) over Todd, Gunduc, Weschler, and further in view of U.S. Patent Publication 20020178377. This rejection is respectfully traversed.

Claims 7, 8, and 25 depend, respectively, from patentable claims 1 and 13. For this reason and the additional features they recite, claims 7, 8 and 25 are also patentable. Withdrawal of the rejection of claims 7,8 and 25 under 35 U.S.C. § 103(a) is respectfully requested.

In view of the above remarks, Applicants respectfully request examination of the current application on the merits and submit that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,


Date: January 16, 2007

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